

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DOROTHY AUSTIN,)	
)	
Plaintiff,)	
)	Case No.: 1:10-cv-01665
v.)	
)	Judge Der-Yeghiyan
GC SERVICES LIMITED PARTNERSHIP, a)	
Delaware limited partnership,)	
)	
Defendant.)	

DEFENDANT’S AMENDED AFFIRMATIVE DEFENSES

Defendant, GC SERVICES, LP, (“defendant”), by its attorney, Todd P. Stelter, for its Amended Affirmative Defenses to plaintiff’s complaint, states as follows:

FIRST DEFENSE

Plaintiff’s complaint fails to state a claim and/or cause of action upon which relief may be granted.

SECOND DEFENSE

1. Any violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*, if applicable, which defendant denies, was not intentional and was the result of a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error.

2. Specifically, in regard to the receipt of fax communications, GC Services LP maintains procedures concerning the reviewing and proper handling of all legible fax communications received by GC Services LP.

3. Said procedures are reasonably adapted to avoid any error as it concerns the handling of fax communications pursuant to the FDCPA.

4. Any legible faxes received by GC Services LP concerning a debtor, which state that the debtor is represented by counsel and directs future communications to go solely to the attorney, if the debtor can be identified, are noted on the debtor's account, future contact with the debtor is ceased and all future contact is made through the attorney.

WHEREFORE, defendant prays for an order and judgment of this Court in its favor against plaintiff as follows:

1. Dismissing all causes of action against defendant with prejudice and on the merits; and
2. Awarding defendant such other and further relief as the Court deems just and equitable.

Respectfully submitted,

HINSHAW & CULBERTSON LLP

By: s/Todd P. Stelter
Todd P. Stelter

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CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2010, I electronically filed **AMENDED AFFIRMATIVE DEFENSES** with the Clerk of the Court using the CM/ECF system which will send notification of such filing(s) to the following:

David J. Philipps
davephilipps@aol.com

Respectfully submitted,

By: s/Todd P. Stelter

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